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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/840,095

04/24/2001

Renato Caretta

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EXAMINER

KNABLE, GEOFFREY L

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 03/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/840,095

Applicant(s)

CARETTA ET AL.

Examiner

Geoffrey L. Knable

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 27-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 27-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: \_\_\_\_

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1. Claims 27-55 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

New claim 27 defines at 6 lines from the end that the side portions of "at least some" first strip lengths are covered in part. It however is considered that this reference to "at least some" was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, i.e. it is considered to be new matter. In particular, the original disclosure describes that "each" strip length is partly covered whereas the reference to "at least some" includes embodiments beyond what was originally described. Either support for this language should be shown or the language amended to conform with the original disclosure.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the term "strip-like" is arguably ambiguous as it is not clear in what way it is "like" a strip.

4. Claims 1 and 27-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alderfer (US 3,826,297) taken in view of Christman (US 4,248,287).

Alderfer discloses building a tire that includes beads and a carcass, the carcass structure being formed by depositing successive cut strip lengths on a toroidal support in "U-shaped" form with the strips being in abutting or side-by-side relationship at the crown – note esp. col. 8, lines 21+ and the figures. The reference does not indicate the state of the strip lengths at the sides of the toroidal support but since the strips are of uniform width, absent some extensive steps taken to avoid it, the strip would be expected to necessarily overlap adjacent strips at the side/bead areas simply by virtue of the reduced diameter at these areas. Christman provides further evidence of this expected result in a very similar carcass construction, this structure further providing expected benefits in terms of enhanced strength at the bead areas – note esp. col. 5, lines 20+ and fig. 9. This configuration is thus implicit or obvious from the Alderfer disclosure. The references do not describe formation of the beads (these corresponding to the claimed annular reinforcing structures). It however is extremely common, typical and well known in this art to form a tire bead by winding bead reinforcement in concentric coils – to form the beads of Alderfer in this manner would thus have been obvious and would meet the claimed requirements, it being noted that the claims do not define over normal and typical tire beads. The particular strip section width would have been readily and routinely selected by the ordinary artisan. Addition of a second ply is suggested by Alderfer, the remaining features of the claims being considered obvious optimizations of the basic Alderfer teachings.

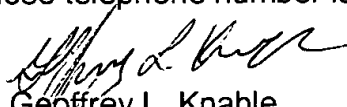
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Note: It is noted that in both of the applied references, the carcass lengths apparently turn-up around the beads whereas in applicant's invention (although not now explicitly claimed), there apparently is no turn-up around the inextensible annular structures. References such as FR 384231 (cited by applicant) seem to show carcass strips with varied overlap, etc. as claimed and further ending at the sides without any turn-up but it is not clear what the configuration of the inextensible annular structures is in this reference and how they relate to the apparent carcass strips. Although a translation was apparently provided for this reference in the parent application, it was not readily available and provision of a copy of such with any response would be helpful in clarifying the disclosure of this reference and would aid the examiner in determining whether, if the claims additionally required this feature (i.e. that there is no turn-up around the inextensible annular structures) in a manner that was clearly supported by the original disclosure, such claims would be allowable.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 703-308-2062. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael W. Ball can be reached on 703-308-2058. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.



Geoffrey L. Knable  
Primary Examiner  
Art Unit 1733

G. Knable  
March 4, 2003